

COSA MSJ 000001

SAPD and/or the City of San Antonio is not aware of any persistent, widespread practice of its police officers of violating the constitutional rights of individuals or violating applicable laws or departmental regulations including the use of excessive force or arrest without probable cause, and/or attempts to cover-up such activities.

SAPD and/or the City of San Antonio, through the SAPD Internal Affairs Unit, actively investigates and punishes infractions of law, violations of constitutional rights, and/or violations of departmental policies and procedures by its police officers.

In forming my opinions I have relied upon my own personal knowledge of TCLEOSE standards, as well as my own personal knowledge of the training methodology utilized by the SAPD and the policies, practices, customs and procedures of the SAPD, including the official policies as set forth in the General Manual of the San Antonio Police Department. In addition, I have reviewed the Plaintiff's First Amended Complaint on file in this case.

In my duties as a Captain in SAPD, and as Commander of the Professional Standards Division which is the division tasked with investigating allegations of misconduct by SAPD officers and employees, I have become familiar with the SAPD's policies and procedures contained in the General Manual, the official policy manual of SAPD. All officers in the SAPD are educated on the policies and procedures in the General Manual through their six month initial training at the San Antonio Police Academy, as well as continuing yearly in-service education and update bulletins. Included within the General Manual are Procedure 303 "Disciplinary Process", Procedure 325 "Training and Career Development", Procedure 501 "Use of Force", Procedure 502 "Warrantless Arrests, Search & Seizure", Procedure 508 "Field Contacts" and Procedure 601 "Prisoners". Officers are instructed, guided and trained so that they understand these and other procedures of the SAPD. Copies of these procedures are attached hereto and incorporated herein the same as if set forth verbatim. Training records are reviewed yearly to make sure that they are in compliance with state requirements. Alleged violations of these and other procedures are investigated and, if warranted, disciplinary action is imposed.

All officers with the San Antonio Police Department are required to be certified by the Texas Commission on Law Enforcement Standards and Education (TCLEOSE). TCLEOSE sets the standards for law enforcement officers in the State of Texas. TCLEOSE also sets the standards for screening applicants for police work as well as certification and training standards for police agencies in the State of Texas. The SAPD meets or exceeds all TCLEOSE standards for screening, and training its officers. Training in all law-enforcement matters is required of and/or provided to each SAPD officer in two general categories. Initially, officer-trainees must complete comprehensive training at a basic academy. Thereafter, officers are required to take continuing education classes and training, i.e. "in-service", on an annual basis. All law enforcement issues, including for example, probable cause to arrest, penal code provisions and the constitutional limitations on the use of force, are covered in the training academy. SAPD's training academy requirements incorporate the substance and time requirements of TCLEOSE Basic Peace Officer certification and expands upon them. The San Antonio Police Department's basic training requirements exceed those of TCLEOSE by at least 600 hours. TCLEOSE requires peace officers to receive 40 hours of post-academy law-enforcement training every two (2) years. The San Antonio Police Department doubles this standard by requiring its officers to take 40 hours of

post-academy law enforcement training on an annual basis, except for the first year after graduating from the academy.

After completion of their training at the police academy, new officers (referred to as probationary officers) continue their training with Field Training Officers (FTO's) who provide on-the-job training to the probationary officers for a period of six (6) months. During this time the probationary officers receive hands-on training in all aspects of police work with an emphasis on the policies and procedures of the SAPD as set forth in the General Manual. Following academy training and the completion of their probationary period with an FTO, SAPD officers continue their training and receive updates as to changes in the law, SAPD policies and/or proper techniques throughout their careers during mandatory annual courses known as "In Service Training". SAPD officers are also continually updated and refreshed on a broad range of law enforcement issues and on the policies and procedures of the San Antonio Police Department on an informal basis - for example during pre-shift meetings and in conferences prior to initiating law-enforcement activities.

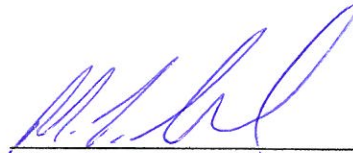
The training required of the officers of the San Antonio Police Department far exceeds the minimum requirements imposed by the State of Texas. Minimum peace officer training is mandated by TCLEOSE which establishes the criteria for police officer candidate licensure and for incumbent officers to maintain their law enforcement license. TCLEOSE, through legislative authority can suspend and/or revoke a police officer's license for violation of law. All officers with the San Antonio Police Department are required to be certified by TCLEOSE.

The City of San Antonio, by and through its Police Department, does not condone or permit the use of excessive force or arrest without probable cause. All SAPD officers are trained regarding SAPD policies and procedures including Procedure 303 "Disciplinary Process", Procedure 325 "Training and Career Development", Procedure 501 "Use of Force", Procedure 502 "Warrantless Arrests, Search & Seizure", Procedure 508 "Field Contacts" and Procedure 601 "Prisoners". General Manual Procedure 501 "Use of Force" provides, in part, that "[o]fficers shall use only the level of force that is necessary to accomplish a lawful police objective. Any time force is used, the officer shall apply a level of force that is reasonable for the situation." Furthermore, Procedure 502 "Warrantless Arrests, Search & Seizure" provides in part that "[a]n officer makes a warrantless arrest only if he has enough personal knowledge or reliable information to constitute probable cause upon which an arrest warrant could be issued, if time permitted."

Further, the San Antonio Police Department has established the Internal Affairs Unit to investigate alleged violations of department policies, procedures, rules and regulations. The Internal Affairs Unit accepts sworn complaints against officers by both citizens and sworn personnel. Officers in the SAPD are required to report violations of policies and/or procedures or violations of the law by their fellow officers. The Internal Affairs Unit investigates the administrative complaints and submits the findings of the investigation to the Chief's Advisory Action Board which is comprised of both citizens and sworn personnel. The board reviews the cases and makes recommendations as to whether or not the complaint is founded and if so, recommends a punishment. These recommendations are then forwarded to the Chief of Police for further action, to include the issuance of discipline, as necessary. In this manner, the City of San Antonio upholds its policies and procedures. Additionally, if an officer is deemed to have

violated the law, the department undertakes to investigate such alleged violations and to forward them for prosecution if warranted. Every incident or allegation is taken on its own merit. If it is determined that the complaint is sustained, disciplinary action may be implemented by the Chief of Police. The policies and procedures of the Internal Affairs Unit are summarized in Procedure 303 "Disciplinary Procedures" of the San Antonio Police Department General Manual.

In the past ten (10) years I have not authored any publications. I have not testified as an expert witness at trial or deposition in the past four (4) years. I am not being compensated for my time in connection with this case, other than my regular salary as a San Antonio Police Department Captain."

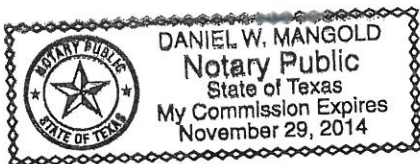


CAPTAIN MICHAEL L. GORHUM
San Antonio Police Department

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned Notary Public for the State of Texas, by the aforementioned affiant MICHAEL GORHUM, on this the 7 day of April, 2014.



Notary Public, State of Texas



Michael Gorhum

Objective Deputy Chief, San Antonio Police Department

Experience 2010–Present San Antonio Police Department, San Antonio, TX

Professional Standards Commander

- Responsible for investigating officer misconduct
- Responsible for the department's accreditation process

1989-2010 San Antonio Police Department San Antonio, TX

Assignment According to Rank

- 1989-1994 patrol officer assigned to North and West Service areas.
- 1994-1997 Detective assigned to Robbery and covert operations
- 1997-2001 Sergeant assigned to patrol, traffic and covert operations.
- 2001-2003 Lieutenant assigned to North Service Area.
- 2003-2009 Lieutenant assigned to the Vice Unit
- April 2009 to June 2009 Night Commander-Captain Position
- June 2009 to July 2010 Central Service Area Commander

2003-Present San Antonio College San Antonio, TX

Adjunct Professor

- San Antonio College Criminal Justice Department
- Palo Alto College-Criminal Justice
- University of the Incarnate Word

Education 1995-1997 City University Bellevue, WA
M.P.A., Public Administration and Criminal Justice.

1993-1994 Wayland Baptist University San Antonio, TX
B.S.O.E., Human Services with specialization in Criminal Justice

1986-1992 San Antonio College San Antonio, TX
A.A.S. in Applied Science-Criminal Justice

Interests Enjoy spending time with family, exercise and reading.

Professional Organizations

- Graduate of 222nd session of the F.B.I. National Academy
- Graduate of the 40th session of L.E.M.I.T.